

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ANGIOSCORE, INC.,

Plaintiff,

v.

TRIEME MEDICAL, INC., EITAN  
KONSTANTINO, and QUATTRO  
VASCULAR PTE LTD.,

Defendants.

AND RELATED COUNTER-CLAIMS.

Case No. 4:12-cv-3393-YGR

~~[PROPOSED]~~ **MODIFIED ORDER RE  
PLAINTIFF ANGIOSCORE, INC.'S  
MOTION TO COMPEL PRODUCTION  
OF UNREDACTED DOCUMENTS**

The Hon. Yvonne Gonzalez Rogers

1 Pursuant to the parties' jointly submitted letter brief regarding the issues in  
2 dispute concerning Defendant TriReme Medical, Inc.'s ("TriReme") redacted  
3 production of documents in response to Plaintiff AngioScore, Inc.'s ("AngioScore")  
4 Request for Production of Documents No. 39, and for the reasons set forth at the  
5 telephonic hearing on the motion, the Court hereby **GRANTS** Plaintiff  
6 AngioScore's Motion to Compel Production of Unredacted Documents (Dkt. No.  
7 73), subject to the restrictions below.

8  
9 **IT IS THEREFORE ORDERED:**

10  
11 (1) That Defendant TriReme shall produce to AngioScore's outside  
12 counsel unredacted copies of all redacted documents previously produced in  
13 response to Request for Production of Documents No. 39 on or before Friday,  
14 August 2, 2013;

15  
16 (2) That all such unredacted documents produced by TriReme shall be  
17 treated as "Confidential-Attorneys' Eyes Only" by outside counsel for AngioScore  
18 and shall not be disclosed to AngioScore;

19  
20 (3) That counsel for AngioScore, shall not directly contact, or arrange for  
21 any contact, of any of Defendant TriReme's customers<sup>1</sup> **disclosed in discovery**,  
22 except as authorized by the Court; and  
23  
24  
25

26 <sup>1</sup> "Customers" as herein defined shall mean any individual or entity that has used or  
27 purchased a Chocolate PTA Balloon Catheter in the United States directly from Defendant  
28 TriReme between January 1, 2010 to the present.

1 (4) If counsel for AngioScore believes it has good cause to contact, or  
2 arrange for any contact, of any customer identified by TriReme in **discovery**, the  
3 parties shall meet and confer to come to an agreement relating to the protocol  
4 governing customer contact. Should the parties be unable to agree on an appropriate  
5 protocol, AngioScore may file a request for discovery relief pursuant to Sec. 8(b) of  
6 this Court's Standing Order in Civil Cases, dated Nov. 15, 2012.

7  
8 While the Court declines to issue an order with respect to matters not  
9 currently before it, the parties should consider this order in SOMETHING future  
10 issues. The parties are advised that requiring further Court intervention as a result  
11 of unreasonable discovery positions may result in sanctions.

12  
13 This Order Terminates Docket Number 73.

14  
15 **IT IS SO ORDERED.**

16  
17  
18 Date: July 25, 2013

19   
20 The Honorable Yvonne Gonzalez Rogers  
21 United States District Court Judge  
22  
23  
24  
25  
26  
27  
28